

# KNOX COUNTY COMMISSION

## Regular Meeting

**Tuesday – November 12, 2019 – 2:00 P.M.**

The regular monthly meeting of the Knox County Commission was held on Tuesday, November 12, 2019, at 2:00 P.M., at the county courthouse, 62 Union Street, Rockland, Maine.

**Commission members present were:** Dorothy G. Meriwether, Commissioner District #1, and Richard L. Parent, Jr., Commissioner District #2 and Sharyn L. Pohlman, Commissioner District #3.

**County staff present included:** Sheriff Tim Carroll, Administrative Assistant Wendy Galvin, Chief Deputy Patrick Polky, Finance Director Robinson, Shane Riley, Captain Paul Pinkham, Airport Manager Jeff Northgraves and Interim Communications Director Robert Coombs (*Absent: County Administrator Andrew Hart and HR Laurie Bouchard*).

**2019 Spirit of America recipients** ~ Dick Carver of Owls Head, Martha Marchut Cushing Select Board – on behalf of Daniel Remian, Maynard Tolman of Rockport and Sally Long of St. George. (*Absent: Irene Hawes accepting on behalf of the late Beniah Harding, Steve & Kathy Ocean of Washington and Travis & Anita Brown of Union.*)

**Others in attendance:** Bill Aboud Cushing Planning Board & Assessors Board, Kay Tolman of Rockport, Carolyn Elwell of St. George, Randy Elwell of St. George, Doris Elwell of St. George, Sally Jo Kinney of St. George, Liz Moores of Hudson, Daniel Staples Cushing Select Board and Robert Ellis Cushing Planning Board & Assessors Board.

## **Regular Meeting – Agenda** **Tuesday – November 12<sup>th</sup>, 2019 – 2:00 P.M.**

- I. 2:00 Meeting Called To Order**
- II. 2:01 Presentation**
  1. Recognition of Volunteerism – 2019 Spirit of America Awards.
- III. 2:10 Public Comment** - Public Comment during other portions of the meeting will only be granted by permission of the Chair.
- IV. 2:25 Consent Items**
  1. Approve Consent Items as Presented:
    - i. Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
    - ii. Minutes of Regular Commission Meeting of October 8, 2019.
    - iii. Monthly Written Departmental Reports.
    - iv. Reserve Withdrawals.
- V. 2:30 Action Items**
  - Act to Vote to Accept the Final Report of the Human Resources Organizational Study for Knox County.
  - Act to Approve and Authorize the County Administrator to Sign the 2020 Proposal for Human Resources Services to Knox County with L. Bouchard & Associates, LLC.
  - Act to Vote to Accept the Final Report of the Knox Regional Communications Center (KRCC) Organizational Study for Knox County.
  - Act to Authorize County Administrator to Approve, Sign and Execute Grant and Project Documents Associated with the FAA Airport Improvement Program (AIP) Grants for 2020.
  - Act to Approve and Authorize the Chair to Execute the Consent and Assignment Document to Transfer the Hangar #45 Lease from George Enman to Daniel Dufault.
  - Act to Authorize the County Administrator to Finalize and Execute the Lease Option Agreement Between the County of Knox and BAP Power Corporation DBA Cenergy Power.
  - Act to Approve Reappointments to the Knox County Board of Assessment Review.

- Act to Appoint a Commissioner to Serve as a Director on the Board of the Maine County Commissioners Association (MCCA), and as a Director on the Board of the Maine County Commissioners Association (MCCA) Self Funded Risk Management Pool for 2020.
- Act on Interest to be Charged to Municipalities on 2019 Dispatch Fees Paid Late.

**VI. 3:00 Discussion Items**

1. Update on the Jail HVAC Repair/Replacement Project.
2. 2020 Bicentennial Celebration.

**VII. 3:10 Other Business****VIII. Adjourn****I. Meeting Called to Order:**

Commission Chair Parent called the regular meeting of the Knox County Commission to order at 2:00 P.M.

**II. Presentation**

1. Recognition of Volunteerism – 2019 Spirit of America Awards.

**III. Public Comment:** Commissioner Richard Parent asked for public comment:  
None**IV. Consent Items:**1. Approve Consent Items as Presented:

- i. Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
- ii. Minutes of Regular Commission Meeting of October 8, 2019.
- iii. Monthly Written Departmental Reports.
- iv. Reserve Withdrawals

- *A motion was made by Commissioner Pohlman to approve the consent items as presented and accept the minutes from October 8<sup>th</sup>, 2019. The motion was seconded by Commissioner Meriwether. A vote was taken with all in favor.*

- A Commissioner asked the Sheriff when the next Meeting of the Peer Recovery Group would take place. The Sheriff stated it takes place every Wednesday at 8:00 A.M. at the St. Peters Episcopal Church and is open to everybody.
- A Commissioner commented that she is recognizing Kevin and Penobscot Island Air for all the support they provide to the County and all of the Islands in a variety of ways.
- A Commissioner wanted to thank Candice Richards from EMA for the wonderful monthly newsletter.
- A Commissioner reminded the Sheriff the Commissioners would like to meet the newest addition to the Sheriff's Department, K-9 Marek.

**V. Action Items:**2. Act to Vote to Accept the Final Report of the Human Resources Organizational Study for Knox County.

*(A final report for the Human Resources Organizational Study was given to the Commissioners.)* The Commissioners are being asked to vote to accept the final report and recommendations associated with the organizational study for Human Resources. Administrator Hart will briefly address the recommendations, and Laurie will be present at the meeting. #1 Recommendation will be addressed on the 2<sup>nd</sup> agenda item. #2 Recommendation has and is occurring. Laurie can provide a more thorough explanation of this as she has had individual meetings with each Department Manager. #3 Recommendation. As the County Administrator, I cannot at this time support a full -time human

resources position, whether it is a contract with Laurie Bouchard, another entity, or hiring a full-time HR employee. Knox County is in a much better state when the last organizational study was done in 2010 and we started the contract position with Laurie. At that time, we had so many policies that were either not written, ineffective, etc. Forms were obsolete, there were inconsistencies, etc. #4 recommendation, Administrator Hart feels we need to keep with the system that we have until such time it is determined that we need to make a change.

- *A motion was made by Commissioner Meriwether to Act to Vote to Accept the Final Report of the Human Resources Organizational Study for Knox County. The motion was seconded by Commissioner Pohlman. A vote was taken with all in favor.*

3. Act to Approve and Authorize the County Administrator to Sign the 2020 Proposal for Human Resources Services to Knox County with LBouchard & Associates, LLC.

A proposal for Human Resources Services study was handed to the Commissioners by Laurie Bouchard, DBA L.Bouchard & Associates, LLC. This is being asked for approval and to authorize the County Administrator to sign as it relates to Agenda Item #1 and Recommendation #1 located within the Human Resources Final Report. The proposal is effective for 1/1/2020. Pricing is the same and is good through 12/31/2021. A list of services has been updated. Either party can cancel the agreement with 60 days written notice, for any reason. Administrator Hart would request that the Commission approve this contract proposal and authorize him to sign.

- *A motion was made by Commissioner Meriwether to Act to Approve and Authorized the County Administrator to Sign the 2020 Proposal for Human Resources Services to Knox County with LBouchard & Associates, LLC. The motion was seconded by Commissioner Pohlman. A vote was taken with all in favor.*

4. Act to Vote to Accept the Final Report of the Knox County Communications Center (KRCC) Organizational Study for Knox County.

A final report for the Knox Regional Communications Center (KRCC) Organizational Study was given to the Commissioners. The Commissioners are being asked to vote to accept the final report and recommendations associated with it. Administrator Hart has also provided all attachments that are referenced in the final report. As far as the conclusion and recommendations in this report, as you know Robert (Bob) Coombs is the Interim Communications Director as the Commission appointed him previously. Sheriff Tim Carroll and Michael Smith, Somerset County Communications Director will be mentors for Bob and work closely with him, and he can reach out to them anytime that he needs to. Chief Chris Farley, Sheriff Carroll, Michael Smith, Bob, Administrator Hart are meeting on Friday November 8<sup>th</sup> to discuss the state of KRCC, Bob's thoughts of what is going well, what isn't going well, what he feels needs to be done, etc. We want to get his feelings/thoughts and then decide what the next steps will be. We will also have a conference call tomorrow after MRI to discuss the report with Bob. Administrator Hart would request that we go slow and allow this group to work with Bob and move along slowly and see how things progress with periodic check-ins. We would bring our recommendations/suggestions back to the Commission at a later date and provide an update to the Commission. Administrator Hart would ask the Commission to vote to approve this report with the included conclusion/recommendations knowing that the above group will be working to implement and assist Bob in implementing these recommendations.

- One Commissioner is only voting to accept the final report, and requests that a meeting be scheduled with the Commission, Robert Coombs, the Sheriff, Administrator Hart and anyone else who is appropriate, as soon as possible. This meeting would be to discuss specifically the steps forward on the recommendations made in the report and the actions needed to be taken to implement those recommendations. All of this is time sensitive. The study was done back in March, and there are concerns about the study that needs to be addressed. A bit of disappointment in the report was that it did not directly address the continuing need for the Deputy. As the report is written, their recommendation is that the Director performs management and oversight, and they

recommend an outsourced contracted expert to do the technology. I would like for the Commission to be involved to know what steps need to be taken.

- A Commissioner stated that included in the packets were job descriptions for the Communications Director and Supervisor. Didn't we just do a revised Directors position? Interim Communications Director Coombs stated that one was for the Deputy Director and Communications Director.
  - Another Commissioner agreed and would also like to have a follow up meeting. Also, noted in the notes from Administrator Hart it looks like there was a meeting with Chief Farley, Carrie Kipfer, Michael Smith, Bob Coombs and Administrator Hart on Friday to discuss the state of the KRCC, Bob's thoughts on what going well, what's working, what's not working so I feel there are discussions that are happening pursuant to the MRI report.
  - A Commissioner addressed Interim Communications Director Coombs by asking him if he has had a chance to read the full report, and if so are you completely on board? Interim Communications Director Coombs stated that yes he has read the report and is in support of having a Deputy Director for KRCC. He feels there needs to be someone there to run/support the daily functions of the center.
  - A Commissioner asked Interim Communications Director Coombs if he were to vote on the recommendations would he be comfortable to "accept: the recommendations or is their grounds for further discussion? Interim Communications Director Coombs stated he thinks that there needs to be discussion on keeping the Deputy Director position.
  - The Sheriff stated that Action item is the "Act to vote to accept the final report". My thought is the report is the report.
  - *A motion was made by Commissioner Pohlman to Act to Vote to Accept the Final Report of the Knox County Regional Communications Center (KRCC) Organizational Study for Knox County. The motion was seconded by Commissioner Meriwether. A vote was taken with all in favor.*
5. Act to Approve and Authorize the County Administrator to Approve, Sign and Execute Grant and Project Documents Associated with the FAA Airport Improvement Program (AIP) Grants for 2020.  
This AIP Grant is an annual authorization. The AIP grants are advertised, bid, selected and executed in accordance with FAA guidelines and restrictions. Selections are based on the lowest 'reasonable and responsible' bid, so there are no 'County Options' associated with their processes. The anticipated projects for 2020: Terminal Security Upgrades/Rehab (includes the upgrade of the Geothermal Controls system), the development of the new hangar area (taxiway connections and gates) and a project to explore the WWII drainage systems to scope repairs projected in a future year. As usual, we expect to use our \$1M/year of entitlement (90%) and the State and County would each contribute \$55.6K (5% each).
- *A motion was made by Commissioner Pohlman to Approve and Authorize the County Administrator to Approve, Sign and Execute Grant and Project Documents Associated with the FAA Airport Improvement Program (AIP) Grants for 2020. The motion was seconded by Commissioner Meriwether. A vote was taken with all in favor.*
6. Act to Approve and Authorize the Chair to Execute the Consent and Assignment Document to Transfer the Hangar #45 from George Enman to Daniel Dufault.  
Mr. Enman has sold his hangar to Mr. Dufault and is required to request County Commission approval to transfer the lease agreement for the airport land the hangar sits on. Mr. Enman no longer has an aircraft and Mr. Dufault does. Airport Manager Northgraves recommends approval.
- **Airport Manger Northgraves is recommending to table #6 until next meeting due to there is one document missing.**
  - *A motion was made by Commissioner Meriwether to "table" the to Act to Approve and Authorize the Chair to Execute the Consent and Assignment Document to Transfer the Hangar #45 from George Enman to Daniel Dufault.. The motion was seconded by Commissioner Pohlman. A vote was taken with all in favor.*

7. Act to Authorize the County Administrator to Finalize and Execute the Lease Option Agreement Between the County of Knox and DAP Power Corporation DBA Cenergy Power.

Cenergy Energy recently approached the Airport with a proposal to lease airport land for development of a solar farm. Several previous solicitations for solar panel developments were reviewed and discarded. But, this type of proposal became possible this year as a result of new State of Maine legislation. The legislation has some sundown clauses for filing and Cenergy must obtain some approvals before that filing is possible. Development of solar farms on airports has some unique and specific requirements mandated by the FAA and as a result there are few solar panel companies in the nation that have been successful in this niche arena. Cenergy is one of them.

**Lease Option Proposal:** Attached are two documents that constitute Cenergy's proposal: Attachment A. the solar layout for use of approximately 14 acres at the Airport to generate 3 megawatts of AC power, and Attachment B. and Cenergy's original draft lease option agreement. Also, attached is Attachment C which is the Lease Option Agreement that we are asking the County Commissioners to approve to present to Cenergy in response to its proposal. This Attachment C Lease Option Agreement is based on a draft by attorneys for the City of Augusta and State of Maine for a similar solicitation by Cenergy at the Augusta Airport. It has been edited by Airport Manager Northgraves for Knox County and reviewed and edited by our Attorney. This Lease Option Agreement provides Cenergy (*and only Cenergy*) with the option to enter into a separate Lease Agreement to develop a solar farm at the Airport during the life of the option (1-3 years).

Under this Lease Option Agreement, Cenergy will pay \$1,000 for a 1-year lease option (with possible extensions that could go to 3 years total) which would allow Cenergy to obtain the necessary development approvals (FAA, MDEP, Town of Owls Head land use, and interconnection studies with Central Maine Power) for the project. Once they receive the development approvals, Cenergy and Knox County would enter into a long-term, 21-year Lease Agreement with two (2) five (5) year options to extend the lease, at a lease rate of at least \$1,000 per acre per year (with market rate adjustment in option terms). Under that new Lease Agreement (*which, like this Lease Option Agreement, would be subject to County Commissioner review and approval*), Cenergy would partner with Knox County (*along with other entities, as the new law allows*) to provide potentially lower electricity costs.

The Cities of Sanford and Augusta and the State of Maine have determined this type of real estate transaction did not require RFPs or multiple bids. Knox County has a "Purchasing and Bidding Policy" for the purchasing of all goods and services, which may not apply to real estate options and leases, but nonetheless allows the Commissioners to "exclude specific purchases from the bid process due to sole source or prior knowledge of work or project which may directly affect the business." Airport Manager Northgraves research shows that Cenergy has experience installing and operating solar projects at airports in particular, and is doing so with the City of Augusta and State of Maine at the Augusta airport.

Airport Manager Northgraves recommends the Commission authorize the Administrator to finalize and then execute the Lease Option Agreement with Cenergy. Based upon Airport Manager Northgraves research and findings is that Cenergy has experience installing and operating solar projects at airports. For example Cenergy is doing this with the City of Augusta and State of Maine at the Augusta airport. Airport Manager Northgraves also recommends that the Commissioners use their authority under the "Purchasing and Bidding Policy" (Section III.), to the extent it applies, to exclude this Lease Option from the bid process.

- A Commissioner asked if this had to be run by FAA first. Airport Manager Northgraves stated "yes". FAA will have to have a document from two Appraiser's verifying this is at fair market value.
- Airport Manager Northgraves stated that less than a year ago Cenergy came to them with a proposal to develop some of the Airport land for solar panels. The place they wanted to do it, Airport Manager Northgraves wasn't sure they'd be able to. It was 55 acres that is between Rt. 73

and the Museum which is an old mitigation site. Airport Manager Northgraves steered them to other locations and the only location they could find was a 14 acre plot on Ash Point Drive right across from the runway. What they have requested at this time is an option to lease that property from us. The reason for the option is to give them the ability to go to Maine DEP, FAA and all of those permitting agencies so they'll have "standing" to request permits. A couple things happened and apparently with the new law they have to get parcels designated with the utility company by June of 2020 otherwise it cannot happen.

- A Commissioner asked what the land is like. Airport Manager Northgraves stated the land is flat and wooded with two pieces that is wetlands. It is a part of the Airport so that houses can't be built there and it protects the approach to one runway. The value to the Airport is that it's a buffer to the runway for the "approaches".
- A Commissioner thanked the Airport Manager for taking the lead on this solar panel project. This is a great direction to go in. Is Cenergy currently involved in a project with the Indianapolis Airport? Airport Manager Northgraves stated "yes" and actually they have done three or four Airports. Of all the folks I've talked to they are the only ones who have understood the FAA process.
- A Commissioner stated that in reading all the material a down side is not seen, only a great opportunity at no cost to us at this point. Airport Manager Northgraves stated that he doesn't see a cost to us in the future either.
- *A motion was made by Commissioner Meriwether to Act to Authorize the County Administrator to Finalize and Execute the Lease Option Agreement Between the County of Knox and DAP Power Corporation DBA Cenergy Power. The motion was seconded by Commissioner Pohlman. A vote was taken with all in favor.*

8. Act to Approve Reappointments to the Knox County Board of Assessment Review.

Every November several of the Knox County Board of Assessment Review board members come up for reappointment when their term ends on November 5<sup>th</sup> of that year. This year Thomas Laurent and James (Jim) Murphy Jr. need to be reappointed to another term ending November 5, 2023. Both Thomas and Jim want to continue on the Board. A copy of the membership list is in your packet.

- *A motion was made by Commissioner Meriwether to Act to Approve Reappointments to the Knox County Board of Assessment Review. The motion was seconded by Commissioner Pohlman. A vote was taken with all in favor.*

9. Act to Appoint a Commissioner to Serve as a Director on the Board of the Maine County Commissioners Association (MCCA), and as a Director on the Board of the Maine County Commissioners Association (MCCA) Self Funded Risk Management Pool for 2020.

The Commission has been asked by MCCA to appoint a Commissioner to serve on the MCCA Board prior to their annual meeting in January. At the same time, the Commission should also go ahead and appoint a Commissioner to the Risk Pool. Commissioner Pohlman is currently filling both duties. The MCCA by-laws state in Article IV, *Elections and Terms of Office*, Section 1, *Board of Directors*, of the Maine County Commissioners Association Bylaws states that each County Commissioner and the President of each Association named in Article III, Section 2 by December 1 of each year shall be notified to caucus and elect a Director for the coming year from their county or association to serve as a Director on the Board of the Maine County Commissioners Association. Section 1 of Article IV of the Bylaws further states, "*The Chairman of the Board of County Commissioners of each county and the President from each Association shall inform the Executive Director of the Board's nominee at least two weeks before the annual meeting. The Executive Director will advise all County Commissioners and the President from each Association of the entire list of proposed Directors at least one week before the annual meeting.*"

- *A motion was made by Commissioner Meriwether to Act to Appoint Commissioner Pohlman to Serve as a Director on the Board of the Maine County Commissioners Association (MCCA), Self Funded Risk Management Pool for 2020. The motion was seconded by Commissioner Parent. A vote was taken with all in favor.*
  - Also, the Commission will need to appoint Administrator Hart as a proxy for both the MCCA Board of Directors and the MCCA Risk Pool Board of Directors as the representative to vote on behalf of Knox County in the absence of the Commissioner so appointed.
  - *A motion was made by Commissioner Meriwether to Act to Appoint Administrator Hart as a Proxy for both the MCCA Board of Directors and the MCCA Risk Pool Board of Directors as the Representative to vote on Behalf of Knox County in the Absence of the Commissioners so Appointed. The motion was seconded by Commissioner Pohlman. A vote was taken with all in favor.*
10. Act on Interest to be Charged to Municipalities on 2019 Dispatch Fees Paid Late.  
This year there is one (1) municipality being charged interest for paying their dispatch fees late: The Town of Union a total of \$295.37. Finance Director Kathy Robinson has prepared an approval form, which the Commission will sign to approve so that the interest can be charged to the municipality. Administrator Hart attached the spreadsheet that shows the amount of interest for the one municipality and will be the document that the Commission will be signing.
- *A motion was made by Commissioner Meriwether to Act on Interest to be Charged to Municipalities on 2019 Dispatch Fees Paid Late. The motion was seconded by Commissioner Pohlman. A vote was taken with all in favor.*

## VI. Discussion Items:

1. Update on Jail HVAC Project.

The split system cooling for the kitchen is complete and fully operational. The Condensate pumps associated with this system have been removed. The dishwasher hood exhaust is complete and operational. The roof top units have been replaced and are fully operational. Currently, what is left to complete on the project is the front end and MeLink system for the kitchen hood. The MeLink system is currently being designed by MeLink and Siemens will have an update on delivery. The Designo Front End was not carried in this portion of the project, it was scoped for the second phase, however Siemens has begun the set up of this in advance.

2. 2020 Bicentennial Celebration

Commissioner Pohlman asked to have this item placed on the agenda for discussion. An e-mail from Commissioner Pohlman, Carrie Kipfer and the Lincoln County Administrator has been enclosed.

- Commissioner Pohlman stated the Bicentennial is coming up in 2020. The Maine Bicentennial Commission has partnered with Lewiston and Auburn to host the State of Maine Bicentennial parade on May 16, 2020. This will be a State wide parade celebrating the State of Maine, and are hopeful for participation from all sixteen (16) Counties.
- There is an application and guidelines which are now live on their website.
- There are grants available. Approximately \$375 in Grants are available per County to build a float, with a deadline of April 1<sup>st</sup>.
- Do we as a County want to participate? If so, who wants to take the lead on it?

## VII. Adjourn

- *A motion was made by Commissioner Pohlman to adjourn the meeting. The motion was seconded by Commissioner Meriwether. A vote was taken with all in favor.*

The meeting adjourned at 3:16 P.M.

Respectfully submitted,

Wendy Galvin  
Administrative Assistant

**The Knox County Commission approved these minutes at their regular meeting  
held on December 10, 2019.**